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April 21, 2005

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Art Unit 1637

Mail Stop: Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 10/500,293; § 371 Date: October 5, 2004

Methods for Producing Labeled Nucleic Acids or Proteins

OONO et al. Inventors:

Our Ref: 2144.0220000/RWE/RAS

Sir:

Transmitted herewith for appropriate action are the following documents:

- Credit Card Payment Form PTO-2038; 1.
- Information Disclosure Statement Under 37 C.F.R. § 1.97(c); 2.
- 3. One (1) page of Form PTO-1449, citing four (4) documents;
- 4. A copy of three (3) cited documents; and
- 5. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

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Commissioner for Patents April 21, 2005 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert A. Schwartzman, Ph.D.

Agent for Applicants Registration No. 50,211

RWE/RAS/law Enclosures 389206v1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

OONO et al.

Appl. No.: 10/500,293

§ 371 Date: October 5, 2004

For: Methods for Producing Labeled

Nucleic Acids or Proteins

Confirmation No.: 9002

Art Unit: 1637

Examiner: Panaro, Nicholas J.

Atty. Docket: 2144.0220000/RWE/RAS

Information Disclosure Statement Under 37 C.F.R. § 1.97(c)

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450 Mail Stop: Amendment Art 1637

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. Copies of documents AL1, AM1, and AR1 are submitted herewith. However, in accordance with 37 C.F.R. § 1.98(a)(2), a copy of the U.S. patent cited on the attached Form PTO-1449 as document AA1 is not submitted.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language documents **AL1** and **AM1** cited on Form PTO 1449:

Documents AL1 and AM1 are in the Japanese language. The documents, AA1, AL1, and AM1 were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. The fee under 37 C.F.R. § 1.17(p) is provided in our PTO-2038 Credit Card Payment Form.

OONO *et al.* Appl. No. 10/500,293

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert A. Schwartzman, Ph.D.

Agent for Applicants Registration No. 50,211

Date: April 21, 2005

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			1 20100 011	ATTY. DOCKET NO. APPLICATION NO. 2144.0220000/RWE/RAS 10/500,293			
	FO	RM PTO-1449		FIRST NAMED INVENTOR Kiyoharu OONO			
INFORMATION DISCLOSURE STATEMENT TRADELLES				§ 371 Date	ART UNIT		
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	6,207,392 B1	03/27/2001	Weiss et al.			03/01/1999
	АВ						
	AC						
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FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION X No
	AL1	JP 2001-504277 A	03/27/2001	Japan			X No
	AM1	JP 2001-147231 A	05/29/2001	Japan	-		Yes
	AN	yl .	<u> </u>				No Yes
•	AO						No
	AP		1	Till D.A. B. di			Yes No
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
	AR 1 International Search Report for International Application No. PCT/JP02/12917, Japanese Patent Office Japan, mailed January 21, 2003						e Patent Office,
	AS						
	АТ						
EXAMINER					DATE CONSIDERED		
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.							
ана посмываетел. плавае муу от вна тогл мил пехсмининкавон во дуркань.							